

Introduced by Senator Pavley

February 19, 2014

An act to add Division 44 (commencing with Section 75200) to the Public Resources Code, relating to sustainable communities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1122, as introduced, Pavley. Sustainable communities: Strategic Growth Council.

The California Global Warming Solutions Act of 2006, designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law authorizes moneys from the fund to be allocated for the purpose of reducing greenhouse gas emissions in this state through specified investments, including funding to reduce greenhouse gas emissions through strategic planning and development of sustainable infrastructure projects.

Existing law requires certain transportation planning activities by designated regional transportation planning agencies, including development of a regional transportation plan. Certain of these agencies are designated under federal law as metropolitan planning organizations.

Existing law requires metropolitan planning organizations to adopt a sustainable communities strategy, subject to specified requirements, as part of a regional transportation plan, which is to be designed to achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region.

Existing law establishes the Strategic Growth Council and requires the council to, among other things, manage and award grants and loans to support the development, adoption, or implementation of a regional plan or other planning instrument consistent with a regional plan that achieve specified objectives, including meeting the goals of the California Global Warming Solutions Act of 2006. Existing law specifies that the financial assistance provided shall be funded by the bond proceeds from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

This bill would additionally require the council to provide financial assistance for those purposes, to be funded from moneys from the Greenhouse Gas Reduction Fund, upon appropriation by the Legislature, and would additionally require the regional plan or other planning instrument to meet the requirements of an applicable sustainable communities strategy. The bill would require the council to develop and implement regional grant programs to support the implementation of sustainable communities strategies, alternative transportation plans, or other regional greenhouse gas emission reduction plans within a developed area. The bill also would authorize the council to award financial assistance for the development and implementation of agricultural, natural resource, and open space land protection plans that are consistent with the implementation of sustainable communities strategies, alternative transportation plans, or other regional greenhouse gas emission reduction plans.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Division 44 (commencing with Section 75200)
- 2 is added to the Public Resources Code, to read:

DIVISION 44. SUSTAINABLE COMMUNITIES
IMPLEMENTATION

CHAPTER 1. GENERAL PROVISION

75200. For the purposes of this division, “council” means the Strategic Growth Council established pursuant to Section 75121.

CHAPTER 2. SUSTAINABLE COMMUNITIES

75210. (a) To support the planning and development of sustainable communities, the council shall manage and award financial assistance to a council of governments, metropolitan planning organization, regional transportation planning agency, city, county, or joint powers authority, to develop, adopt, or implement a regional plan or other planning instrument consistent with a regional plan that improves air and water quality, improves natural resource protection, increases the availability of affordable housing, improves transportation, meets the goals of the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code), encourages sustainable land use, and meets the requirements of Section 65080 of the Government Code. Moneys from the Greenhouse Gas Reduction Fund established pursuant to Section 16428.8 of the Government Code shall, upon appropriation by the Legislature, be expended by the council for providing financial assistance provided pursuant to this section.

(b) To support the implementation of sustainable communities strategies, alternative transportation plans, or other regional greenhouse gas emission reduction plans within a developed area, the council may adopt criteria and requirements for the development and implementation of regional grant programs that include all of the following:

(1) Require that project be selected within each region by the regional granting authority through a competitive public process based on reduction in the emissions of greenhouse gases.

(2) Establish the methods for evaluating, monitoring, and verifying project effectiveness, including those related to travel demand reduction, system efficiency, safety improvements,

1 demographic characteristics, and integrated land use and
2 transportation strategies.

3 (3) Provide for the development and implementation of projects
4 that integrate infrastructure investment with land use or local code
5 changes to achieve the maximum reduction in the emissions of
6 greenhouse gases.

7 (4) Provide for public participation in the review of proposed
8 projects.

9 (5) Provide for consultation and coordination with air pollution
10 control districts and air quality management districts.

11 (c) The council, in consultation with the State Air Resources
12 Board and the metropolitan planning organizations, shall establish
13 standards for integrated modeling systems and measurement
14 methods to ensure consistency in evaluating the potential
15 effectiveness of projects and verifying the actual benefits of
16 projects after completion.

17 (d) The council shall review the implementation of this section
18 on an annual basis and may revise the criteria and requirements
19 for project selection, evaluation, monitoring, and verification
20 developed pursuant to paragraphs (1) and (2) of subdivision (b),
21 as needed, to improve program performance.

22 (e) Moneys that are allocated for the regional grant programs
23 pursuant to the criteria and requirements adopted pursuant to
24 subdivision (b) shall be allocated to the regional granting authority
25 in each region on a per capita basis.

26 75211. The council may award financial assistance to a city,
27 county, city and county, or regional agency for the development
28 and implementation of agricultural, natural resources, and open
29 space land protection that reduce the emissions of greenhouse
30 gases and that are consistent with and support the implementation
31 of sustainable communities strategies, alternative planning
32 strategies, or other regional greenhouse gas emissions reduction
33 plans.